

**In the
Supreme Court of the State of Nevada**

NATHANIEL HELTON, an
individual,

Appellant,

vs.

NEVADA VOTERS FIRST PAC, a
Nevada Committee for Political
Action; TODD L. BICE, in his
capacity as the President of
NEVADA VOTERS FIRST PAC;
and BARBARA CEGAVSKE, in
her official capacity as NEVADA
SECRETARY OF STATE,

Respondents.

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Case No.: 84110

First Judicial District Court
Case No.: 21 OC 00172 1B

APPELLANT'S MOTION TO EXPEDITE

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This appeal involves a challenge to a ballot measure pursuant to NRS 295.061. Appellant Nathaniel Helton respectfully requests that, pursuant to NRAP 2, this Court set an expedited briefing schedule and resolve this appeal prior to the printing of ballots for the November general election. State and federal law mandates that ballot materials be sent to military and other overseas voters at least six weeks before the election, NRS 293D.320(1); 52 U.S.C. § (a)(8)(A), and election officials' proofing, printing, and sorting these ballots requires a substantial amount of additional lead time. Thus, the design of the November ballots—including whether they will bear the challenged ballot measure—must be finalized in advance of the election. In a similar ballot measure challenge in 2016, the Nevada Secretary of State's Office represented that August 15 is the latest that changes to a state-wide ballot question can be made in the normal course of production. *See Affidavit of Wayne Thorley, Election Deputy, Nevada Secretary of State, No Solar Tax Pac v. Citizens for Solar & Energy Fairness*, No. 70146 (Nev. 2016).

To avoid the confusion and unfair prejudice that would result from the November ballots being printed with a potentially unlawful ballot

question, Mr. Helton requests that the Court set an abbreviated briefing schedule that will allow it to determine the legality of the challenged ballot measure before ballots would need to be printed for the November election (should the measure qualify for the ballot). Specifically, Mr. Helton requests that his opening brief be due by March 1, 2022; that Respondents' brief be due by April 1, 2022; and that Mr. Helton's reply be due by April 15, 2022. This schedule would allow the Court more than sufficient time to hear argument, issue a reasoned decision, and render final judgment before the final layout of ballots must be set for printing.

DATED this 7th day of February, 2022.

**WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP**

By: */s/ Bradley S. Schragar*

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CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of February, 2022, a true and correct copy of the **APPELLANT’S MOTION TO EXPEDITE** was served upon all counsel of record by electronically filing the document using the Nevada Supreme Court’s electronic filing system:

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